

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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LUCIENNA GELINAS and GINA LEONE,

Plaintiff,

v.

**NOTICE OF REMOVAL  
(FEDERAL QUESTION)**

FINANCIAL RECOVERY SERVICES,  
INC, LVNV FUNDING LLC, RESURGENT  
CAPITAL SERVICES, L.P. and SHERMAN  
FINANCIAL GROUP,

Defendant.

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TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Pursuant to 28 U.S.C. §§ 1331 and 1441 *et seq.*, and 15 U.S.C. § 1692 *et seq.*, Defendant Financial Recovery Services, Inc. ("Defendant") hereby gives notice of removal of this cause of action, from the Supreme Court of the State of New York, County of Erie ("State Court Action") to the United States District Court for the Western District of New York. In support of removal, Defendant, by and through its attorneys, states as follows:

1. On October 14, 2013, Defendant received a copy of the State Court Action and subsequently returned a Statement of Service by Mail. The matter was venued in the Supreme Court of the State of New York, County of Erie. A copy of the Summons and Complaint, in addition to the signed Statement of Service by Mail are attached hereto and marked as Exhibit "A".